

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

MITCHELL WARD TRANSPORT, INC.,

DEBTOR.

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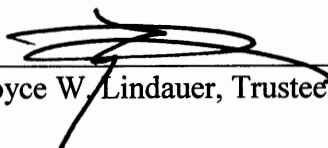
CASE NO. 01-44661-BTR  
(CHAPTER 7)

TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION,  
AND REPORT OF PROPOSED DISTRIBUTION

JOYCE W. LINDAUER, Trustee of the estate of the above-named Debtor, certifies to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of the office of the trustee, that the trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the Court. The trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

Therefore, the trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: 3/14/05

  
\_\_\_\_\_  
Joyce W. Lindauer, Trustee

\*\*\*\*\*

REVIEWED BY THE UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

Date: 3-30-05

UNITED STATES TRUSTEE

By:   
\_\_\_\_\_

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

MITCHELL WARD TRANSPORT, INC.,

DEBTOR.

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CASE NO. 01-44661-BTR  
(CHAPTER 7)

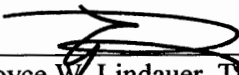
**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND  
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced moneys from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. § 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. § 554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this Final Report.
7. The Trustee has examined each and every claim filed and noted her approval of claims as filed, or she has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution and Account and certification by the U.S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: 3/14/05

  
\_\_\_\_\_  
Joyce W. Lindauer, Trustee  
8140 Walnut Hill Lane Suite 301  
Dallas, Texas 75231  
(972) 503-4033

SCHEDULE A-1

FINAL ACCOUNT AS OF:

A.	RECEIPTS	\$332,599.37
B.	DISBURSEMENTS	
(1)	Secured Creditors	\$ 0.00
(2)	Administrative Expenses	\$ 0.00
(3)	Priority Creditors	\$ 0.00
(4)	Other - Unsecured Creditors	\$ 18,509.60
	TOTAL DISBURSEMENTS:	\$ 18,509.60
C.	CURRENT BALANCE:	\$314,089.77

Form 1

Individual Estate Property Record and Report  
Asset Cases

Trustee: (031680) JOYCE LINDAUER  
Filed (F) or Converted (C): 11/08/01 (C)  
§341(a) Meeting Date: 12/28/01  
Claims Bar Date: 04/04/02

Case Number: 01-44861 DR5  
Case Name: MITCHELL WARD TRANSPORT, INC.

Period Ending: 03/15/05

Ref #	1 Asset Description (Scheduled And Unscheduled (a) Property)	2 Fiduciary Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exceptions, and Other Costs)	4 Property Abandoned OA-§54(a) abandoned DA-§54(c) abandoned	5 Sales/Proceeds Received by the Estate	6 Asset Fully Administered (F)/ Gross Value of Remaining Assets
1	Commercial Bank Acct. @ JP Morgan Chase	1,455.18	1,455.18		0.00	FA
2	Checking Acct @ Community Bank In Granbury, TX	0.00	0.00		0.00	FA
3	Controlled Disbursement Account @ Chase	0.00	0.00		0.00	FA
4	Cash @ lookbook Account w/Associated Comm Corp.	60,000.00	60,000.00		29,767.63	FA
5	Brokers Bond Deposit @ Sunbelt Global Partners	10,000.00	10,000.00		0.00	FA
6	All Insurance Policies Sunbelt Global	0.00	0.00		0.00	FA
7	James Helwig & Son (List of A/R)	440,719.29	440,719.29		0.00	FA
8	Amounts owed by James Helwig under Operating Agr	385,328.77	385,328.77		0.00	FA
9	Various Causes of Action against James Helwig	5,000,000.00	5,000,000.00		266,250.00	FA
10	Possessor of Vehicles of James Helwig	1,200,000.00	1,200,000.00		0.00	FA
11	One Year Computer & Printer Hewlett Packard	1,500.00	1,500.00		0.00	FA
12	Qualcomm Unltd, See Attached Ltr	15,000.00	15,000.00		0.00	FA
13	Value of Destroyed Ongoing Business	0.00	0.00		0.00	FA
14	A/R General Mills Invoice #0011213	Unknown	0.00		905.50	FA
15	941 Tax Refund (u)	Unknown	0.00		974.82	FA
INL	INTEREST (u)	Unknown	N/A		331.42	Unknown
16	Assets Totals (Excluding unknown values)	\$7,114,803.22	\$7,114,803.22		\$320,249.37	\$0.00

# Form 1 Individual Estate Property Record and Report Asset Cases

Case Number: 01-44261 DRS  
Case Name: MITCHELL WARD TRANSPORT, INC.  
Trustee: (691690) JOYCE LINDAUER  
Filed (f) or Converted (c): 11/09/01 (f)  
§241(a) Meeting Date: 12/28/01  
Period Ending: 03/15/05  
Claims Bar Date: 04/04/02

1	2	3	4	5	6
Asset Description (Scheduled And Unidentified (u) Property)	Portion Unidentified Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exceptions, and Other Costs)	Property Abandoned OA-§2542(a) abandon. DA-§2542(c) abandon.	Gain/Loss Received by the Estate	Asset Fully Administered (FA) Gross Value of Remaining Assets
Ref.#					

Major Activities Affecting Case Closing:  
Litigation Pending.

Initial Projected Date Of Final Report (TFR): December 31, 2002  
Current Projected Date Of Final Report (TFR): December 31, 2003

# Form 2

## Cash Receipts and Disbursements Record

Case Number: 01-44661 DRS  
 Case Name: MITCHELL WARD TRANSPORT, INC.  
 Trustee: JOYCE LINDAUER (631680)  
 Bank Name: JPMORGAN CHASE BANK  
 Account: \*\*\*\_\*\*\*\*39-65 - Money Market Account  
 Taxpayer ID #: 75-2825049  
 Blanket Bond: \$300,000.00 (per case limit)  
 Period Ending: 03/05/05  
 Separate Bond: N/A

1 Trans. Date	2 {Ref #} Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
01/02/02	{14}	General Mills	Accounts Receivable for Invoice #0011213	1290-000	906.50		906.50
01/31/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.9500%	1270-000	0.60		906.10
02/28/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.8500%	1270-000	0.62		906.72
03/29/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.8500%	1270-000	0.65		907.37
04/30/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.8500%	1270-000	0.63		908.00
05/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.8000%	1270-000	0.63		908.63
06/10/02	{4}	Jones Allen & Furguy, L.L.P.	ACCOUNTS RECEIVABLE	1270-000	29,787.63		30,696.26
06/28/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.8000%	1270-000	13.00		30,709.26
07/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.8000%	1270-000	20.87		30,730.13
08/30/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	19.58		30,749.71
08/30/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	18.98		30,768.67
10/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	19.01		30,788.28
11/25/02		Shikar Transport, Inc.	Payment to be held pending Court's approval of offer to buy Estate's interest in cause of action against James Helwig & Sons, Inc.	1290-000	5,000.00		35,788.28
11/29/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	13.01		35,801.29
12/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	13.08		35,814.37
01/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	13.08		35,827.45
02/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	11.82		35,839.27
03/27/03	{15}	US Treasury	F-941 Refund 75-2825049	1224-000	974.82		36,814.09
03/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	12.54		36,826.63
04/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	12.11		36,838.74
05/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	12.52		36,851.26
06/17/03	{9}	Shikar Transport, Inc.	Proceeds from Order Granting Motion to Sell Property	1129-000	13,250.00		50,101.26

Subtotals: \$50,101.26 \$0.00

# Form 2

## Cash Receipts and Disbursements Detail

Case Number: 01-44661 DRS  
 Case Name: MITCHELL WARD TRANSPORT, INC.  
 Trustee: JOYCE LINDAUER (631680)  
 Bank Name: JPMORGAN CHASE BANK  
 Account: \*\*\*-\*\*\*\*39-65 - Money Market Account  
 Blanket Bond: \$300,000.00 (per case limit)  
 Separate Bond: N/A  
 Taxpayer ID #: 75-2825049  
 Period Ending: 03/05/05

1 Trans. Date	2 {Ref#} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
06/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	11.51		50,112.77
07/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	12.77		50,125.54
08/12/03		To Account #*****3966	Transfer amount for interest to Claims Acquisition Corp.		18,509.60	31,615.94
08/29/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	8.91		31,624.85
09/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	6.50		31,631.35
10/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	6.07		31,637.42
11/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	5.20		31,642.62
03/31/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	4.93		31,647.55
04/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	3.89		31,651.44
05/28/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	4.02		31,655.46
06/02/04		Addison Foods Inc.		3,500.00		35,155.46
06/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	3.89		35,159.35
07/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.1500%	4.02		35,163.37
08/11/04		Addison Foods, Inc.		-3,500.00		31,663.37
08/15/04	Int	JPMORGAN CHASE BANK	Interest Earned for 12/31/03 thru 2/27/04	15.75		31,679.13
08/31/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	4.93		31,684.06
09/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	5.19		31,689.25
10/29/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	5.63		31,694.88
11/30/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	6.50		31,701.38
12/31/04	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	6.71		31,708.09
01/08/05	{9}	MW Logistics, LLC		275,000.00		306,708.09
01/08/05		Addison Foods, Inc.		3,500.00		310,208.09
01/08/05		COMDATA		3,250.00		313,458.09
01/31/05	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	7.95		313,466.04

Subtotals: \$281,874.38

\$18,509.60

# Form 2

## Check Receipts and Disbursements Record

**Case Number:** 01-44661 DRS  
**Case Name:** MITCHELL WARD TRANSPORT, INC.  
**Trustee:** JOYCE LINDAUER (631680);  
**Bank Name:** JPMORGAN CHASE BANK  
**Account:** \*\*\*-\*\*\*\*39-65 - Money Market Account  
**Blanket Bond:** \$300,000.00 (per case limit);  
**Separate Bond:** N/A

**Taxpayer ID #:** 75-2825049  
**Period Ending:** 03/05/05

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
02/20/05		Cingular Wireless		1129-000	600.00		314,066.04
02/23/05	Int	JPMORGAN CHASE BANK	Current Interest Rate is 0.3000%	1270-000	5.74		314,071.78
02/23/05		From Account #*****3966		9999-000	314,071.78		628,143.56
02/23/05		To Account #*****3966		9999-000		314,071.78	314,071.78
02/28/05	Int	JPMORGAN CHASE BANK	Interest posting at 0.3500%	1270-000	23.73		314,095.51
03/01/05	Int	JPMORGAN CHASE BANK	Reverse Interest Posting	1270-000	-5.74		314,089.77
03/01/05	Int	JPMORGAN CHASE BANK	Current Interest Rate is 0.3500%	1270-000	0.00		314,089.77
03/01/05		To Account #*****3966		9999-000		314,389.77	0.00
03/05/05		From Account #*****3966		9999-000	314,071.78		314,071.78
03/05/05		To Account #*****3966		9999-000		314,071.78	0.00

### ACCOUNT TOTALS

Less: Bank Transfers	960,742.93	960,742.93	\$0.00
Subtotal	628,143.56	960,742.93	
Less: Payments to Debtors	332,599.37	0.00	
NET Receipts / Disbursements	\$332,599.37	\$0.00	



# Form 2

## Cash Receipts and Disbursements Record

Case Number: 01-44661 DRS  
Case Name: MITCHELL WARD TRANSPORT, INC.

Trustee: JOYCE LINDAUER (631680)  
Bank Name: JPMORGAN CHASE BANK  
Account: \*\*\*-\*\*\*\*39-86 - Checking Account  
Blanket Bond: \$300,000.00 (per case limit)  
Separate Bond: N/A

Taxpayer ID #: 75-2825049  
Period Ending: 03/05/05

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
08/12/03		From Account #*****3965	Transfer amount for interest to Claims Acquisition Corp.	9999-000	18,509.60		18,509.60
08/12/03	101	Claims Acquisition Corp.	Interest	7100-000		8,301.70	11,707.90
08/12/03	102	Claims Acquisition Corp.		7100-000		2,398.78	9,309.12
08/12/03	103	Claims Acquisition Corp.		7100-000		1,609.16	7,699.96
08/12/03	104	Claims Acquisition Corp.		7100-000		7,699.98	0.00
02/23/05		From Account #*****3965		9999-000	314,071.78		314,071.78
02/23/05		To Account #*****3965		9999-000		314,071.78	0.00
03/01/05		From Account #*****3965		9999-000	314,089.77		314,089.77
03/05/05		From Account #*****3965		9999-000	314,071.79		628,161.55
03/05/05		To Account #*****3965		9999-000		314,071.78	314,089.77

### ACCOUNT TOTALS

Less: Bank Transfers

Subtotal

Less: Payments to Debtors

NET Receipts / Disbursements

960,742.93	646,653.16	\$314,089.77
980,742.93	628,143.56	
0.00	18,509.60	
\$0.00	\$18,509.60	

Form 2

Check Receipts and Disbursements Account

Case Number: 01-44661 DRS  
Case Name: MITCHELL WARD TRANSPORT, INC.

Trustee: JOYCE LINDAUER (631680)  
Bank Name: JPMORGAN CHASE BANK  
Account: \*\*\*-\*\*\*\*39-66 - Checking Account  
Blanket Bond: \$300,000.00 (per case limit)  
Separate Bond: N/A

Taxpayer ID #: 75-2825049  
Period Ending: 03/05/05

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
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TOTAL - ALL ACCOUNTS			Net Receipts	Net Disbursements	Account Balances
MMA # ***-****39-66			332,599.37	0.00	0.00
Checking # ***-****39-66			0.00	18,509.60	314,089.77
			\$332,599.37	\$18,509.60	\$314,089.77

**SCHEDULE B**

## APPLICATION FOR COMPENSATION

## COMPUTATION OF COMMISSIONS (cases filed after 10/22/95)

Total Receipts	332,599.37	25% of First \$5,000	\$1,250.00
Less	(5,000.00)		
Balance	327,599.37	10% of next \$45,000	4,500.00
Less	(45,000.00)		
Balance	282,599.37	5% of next \$950,000	14,129.97
Less	(950,000.00)		
Balance	<u>0.00</u>	3% of Remaining Balance	<u>0.00</u>

TOTAL COMMISSIONS	\$ 19,879.97
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TOTAL COMMISSIONS	\$ 19,879.97
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## UNREIMBURSED EXPENSES

## Recording Fees

Premium on Trustee's Bond

Copy Costs (See Exhibit "A")	\$202.50
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Postage Costs (See Exhibit “A”)	\$ 51.60
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Paralegal Time (See Exhibit "A")	\$625.00
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TOTAL UNREIMBURSED EXPENSES: \$879.10

TOTAL UNREIMBURSED EXPENSES: \$879.10

# EXHIBIT "A"

## TRUSTEE EXPENSES

<b>Paralegal, Copies, Postage:</b>	<b># Copies</b>	<b>Postage</b>
Trustee's Application to Sell Property of the Estate	125	10.20
Document Production	135	
Final Report	200	18.95
Supplemental TFR	100	18.95
Distribution Checks	10	3.50
Litigation Copies	240	

<b>TOTALS:</b>	
Paralegal Time = 12.5 hours @ \$ 50.00/hour	\$625.00
Copies = 810 @ \$ .25/page	\$202.50
Postage	\$51.60

PARALEGAL TIME

Date	Description of Services	Total Hours
11/10/02	Draft Motion to Sell and Order	1.5
11/1/02	Respond to Document Requests	2.0
	Draft Trustee's Report of Sale and Order	1.0
2/28/05	Draft Final Report	3.5
	Preparation of Supplemental Final Report	1.0
	Draft Interim Distribution	2.0
	Prepare Interim Checks	1.0
	Work on account	.5
	Total Hours:	12.5

Time for Mitchell Ward Transport 7

Date	Time	Description
11/27/01	.3	Receive and review notice of appointment
11/28/01	1.0	Confer with Laura Worsham creditor issues in case and assets
12/16/01	1.0	Review schedules and statement of affairs
12/27/01	1.0	Review motion to lift stay on state court litigation
1/3/02	1.0	First meeting held and review of documents produced
2/15/02	4.0	Attend 2004 Examination
2/15/02	2.5	Review documents produced from examination
4/5/02	1.0	Review complaint for causes of action
6/03/02	.5	Review motion to transfer venue
6/6/02	1.0	Prepare and file application to employ counsel
6/25/02	1.0	Prepare and file objection to transfer venue
9/17/02	1.0	Review motion for leave to file complaint by defendant
10/8/02	.5	Review objection to motion for leave to file complaint
11/05/02	6.5	Prepare for and attend hearing on motion to transfer venue
11/10/02	1.0	Draft motion to sell property
11/27/02	.3	Review notice of appeal
12/2/02	.3	Review objection to motion to sell
12/10/02	1.0	Work on motion to sell
12/24/02	2.0	Review complaint filed against various defendants
2/22/03	1.0	Review transfer of claims
3/14/03	.5	Review objection to motion to sell
3/25/03	2.0	Attend hearings and matters reset
5/06/03	1.5	Review amended complaint
5/23/03	1.5	Review motion to lift stay
6/9/03	1.0	Review and work on response to motion to dismiss case

6/10/03	6.0	Attend hearing on motion to sell and sale approved
6/23/03	1.5	Draft and file interim distribution to creditors
6/23/03	.5	Review objection to motion to dismiss
7/1/03	1.0	Review appeal and status of appeal
7/3/03	7.0	Attend deposition
7/21/03	.5	Review objections to claims and claims
7/22/03	5.0	Attend hearing on motion to dismiss case
7/25/03	.5	Review order approving distribution and work on checks
11/6/03	3.5	Work with Laura Worsham on complaints to recover money
1/05/04	1.5	Work on complaints and settlements
5/1/04	1.0	Follow-up on settlements
12/10/04	4.0	Work on settlements
12/20/04	1.0	Work on final report
12/20/04	2.0	Work on payments and projected payments
1/15/05	2.0	Work on remaining claims and claims objections
2/15/05	3.5	Work on final report with Laura Worsham
Totals	79.80	79.80 at \$250 = \$19,950 Fees

SCHEDULE C

EXPENSES OF ADMINISTRATION

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
(a) 11 U.S.C. Sec. 507(a) (1) <u>Court Costs and Fees</u>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
(b) 11 U.S.C. Sec. 503(b) (1) (A) <u>Preservation of Estate</u>				
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estates share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Other (itemize)	0.00	0.00	0.00	0.00
(c) 11 U.S.C. Sec. 503(b) (2) <u>Post-Petition taxes and related penalties</u>	0.00	0.00	0.00	0.00
(d) 11 U.S.C. Sec. 503(b) (2) <u>Compensation and Reimbursement</u>				
A. Compensation of Trustee	19,879.97	19,879.97	0.00	19,879.97
B. Expenses of Trustee	879.10	879.10	0.00	879.10
C. Expenses of Auctioneer				
(e) Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
(f) U.S. Trustee fees	0.00	0.00	0.00	0.00
(g) Other (itemize)	0.00	0.00	0.00	0.00
Totals:	\$20,759.07	\$20,759.07	\$ 0.00	\$20,759.07



## SCHEDULE D

## SECURED CLAIMS

[illegible]

## SCHEDULE E

### PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Due
1. For Credit Extended Section 364(e)(1)					
2. Claims for failure of adequate protection Section 307(a)(b)					
3. "Gap Claims" Section 507(a)(2)					
4. Wages, etc. Section 507(a)(3)					
5. Contributions to Benefit Plans Section 507(a)(4)					
6. Consumer Deposits Section 507(a)(6)					
7. Taxes Section 507(a)(7)					
<b>TOTAL:</b>					

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JUN 23 PM 2:17

In re: §  
§  
MITCHELL WARD TRANSPORT, INC. § Case No. 01-44661  
§  
Debtor. § (Chapter 7)

**MOTION FOR INTERIM DISTRIBUTION TO CREDITORS**

TO THE HONORABLE JUDGE OF SAID COURT:

**NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY (20) DAYS FROM THE DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH RESPONSE. IF NO RESPONSE IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF A RESPONSE IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

NOW COMES JOYCE W. LINDAUER, Trustee, and files this her Motion for Interim Distribution to Creditors and in support of such would show the Court as follows:

1. On June 10, 2003, the Court approved the sale of certain claims for the price of \$18,250.00 cash and a \$100,000.00 reduction of Shikar Transport, Inc.'s ("Shikar") claim. True and correct copies of such Order and offer are attached hereto as Exhibits "A" and "B" for all purposes.
2. Pursuant to the Order and offer, all of the creditors in the estate other than Shikar and James Helwig & Son, Inc. ("JHS") will be paid in full.
3. The Trustee is in receipt of the sales proceeds and is requesting to make this interim distribution under §§ 725 and 726 of the Code to creditors to simplify the issues in this case and to

give such creditors payment on their claims without having to await the outcome of pending litigation relating to the adversary proceeding which is likely to continue for more than a year.

4. The Trustee is not seeking payment of her statutory commission by the Motion.

5. The proposed distribution would be in the amounts as follows, plus interest at the federal judgment rate through the date entry of this Order on this Motion:

Proof of Claim No. 1 – \$6,154.24 (assigned to Claim Acquisition Corporation by CNA Motor Transport Underwriters Agency)

Proof of Claim No. 5 – \$1,139.45 (assigned to Claim Acquisition Corporation by William Scotsman, Inc.)

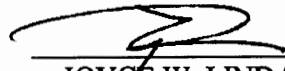
Proof of Claim No. 6 – \$1,455.98 (assigned to Claim Acquisition Corporation by William Scotsman, Inc.)

Proof of Claim No. 7 – \$6,966.69 (assigned to Claim Acquisition Corporation by A.I. Credit Corp.)

6. The remaining creditors in the estate are not receiving distributions under the Motion, but are in agreement with the proposed Interim Distribution to Creditors.

WHEREFORE, PREMISES CONSIDERED, Trustee Joyce W. Lindauer requests this Motion be granted and that she be allowed to make the interim distributions as set forth herein.

Respectfully submitted,



---

JOYCE W. LINDAUER  
ATTORNEY AT LAW  
12900 Preston Road  
Suite 1050  
Dallas, Texas 75230  
(972) 503-4033 Phone  
(972) 503-4034 Fax

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Interim Distribution has been sent to the following parties by first class U. S. mail on this 23 day of June, 2003:

Carlyle H. Chapman, Jr.  
LOCKE LIDDELL & SAPP LLP  
2200 Ross Avenue, Suite 2200  
Dallas, TX 75201-6776

Counsel for Randy Bowman, MW  
Logistics, L.L.C. and Mitchell Ward

David Watkins  
JENKINS & WATKINS  
8150 N. Central Expressway, Suite M-1140  
Dallas, TX 75206-1815

Counsel for James Helwig & Sons,  
Inc.


Patrick J. Neligan, Jr.  
NELIGAN STRICKLIN, LLP  
1700 Pacific Avenue, Suite 2600  
Dallas, TX 75201

Counsel for Marten Transport, Inc.  
and Claims Acquisition Corp.

Gary Hansen  
OPPENHEIMER WOLFF & DONNELLY, LLP  
45 So. Seventh Street, Suite 3300  
Plaza VII Office Tower  
Minneapolis, MN 55402

Counsel for Marten Transport, Inc.  
and Claims Acquisition Corp.

U. S. Trustee's Office  
110 N. College Street  
Suite 300  
Tyler, Texas 75702

  
Joyce W. Lindauer

**EOD**

07/25/2003

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

In re:

MITCHELL WARD TRANSPORT, INC.

Debtor.

§  
§  
§  
§  
§

Case No. 01-44661

(Chapter 7)

**ORDER GRANTING MOTION FOR INTERIM DISTRIBUTION**

On this date came on for hearing the Motion for Interim Distribution to Creditors of Trustee Joyce W. Lindauer. After a review of the pleading on file, the Court finds that the Motion should be GRANTED.

It is, therefore, ORDERED, ADJUDGED and DECREED that the Trustee will make distributions as set forth in the Motion.

DATED: JUL 25 '03, 2003.



\_\_\_\_\_  
U.S. BANKRUPTCY JUDGE

## Eastern District of Texas Claims Register

**01-44661 Mitchell Ward Transport, Inc.**

**Honorable Brenda T. Rhoades**

**Debtor Name: MITCHELL WARD TRANSPORT, INC**

<b>Claim No: 1</b>	Creditor Name: CNA - Motor Transport Specialists P. O. Box 17910 Denver, CO 80217-0910	Last Date to File Claims: Last Date to File (Govt): Filing Status: Allow Docket Status: Late: N
Claim Date: 02/28/2002	Amends Claim No: 0 Amended By Claim No:	Duplicates Claim No: 0 Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$6154.24	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$6154.24</b>	
Description: Transferred to Claim Acquisition 3/4/3		
Remarks: Converted from BANCAP.		

<b>Claim No: 2</b>	Creditor Name: James Helwig & Son, Inc. c/o Laura L. Wosham, Esq. Jones Allen & fuquay, LLP 8828 Greenville Ave. Dallas, TX 75243	Last Date to File Claims: Last Date to File (Govt): Filing Status: Docket Status: Late: N
Claim Date: 04/04/2002	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$787966.59	
<b>Total</b>	<b>\$787966.59</b>	
Description:		
Remarks:		

<b>Claim No: 3</b>	Creditor Name: Shikar Transport, Inc. c/o Laura L. Worsham, Esq. Jones, Allen & Fuquay, LLP 8828 Greenville Ave. Dallas, TX 75243	Last Date to File Claims: Last Date to File (Govt): Filing Status: Docket Status: Late: N
Claim Date: 04/04/2002	Amends Claim No: Amended By Claim No: 9	Duplicates Claim No: Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>

Secured	\$4695257.70	
<b>Total</b>	<b>\$4695257.70</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 4</b>	<i>Creditor Name:</i> Mitchell Ward c/o Gary C. Wallace 350 N. St. Paul, Suite 2650 Dallas, TX 75201	<i>Last Date to File Claims:</i> <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 05/23/2002	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
<b>Total</b>		
<i>Description:</i> Undetermine		
<i>Remarks:</i>		

<b>Claim No: 5</b>	<i>Creditor Name:</i> William Scotsman, Inc. 8211 Town Center Drive Baltimore, Maryland 21236	<i>Last Date to File Claims:</i> <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 04/08/2002	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$1139.45	
<b>Total</b>	<b>\$1139.45</b>	
<i>Description:</i> Transferred to Claim Acquisition 3/4/3		
<i>Remarks:</i> (n/a)		

<b>Claim No: 6</b>	<i>Creditor Name:</i> William Scotsman, Inc. 8211 Town Center Drive Baltimore, Maryland 21236	<i>Last Date to File Claims:</i> <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 04/08/2002	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$1455.98	
<b>Total</b>	<b>\$1455.98</b>	
<i>Description:</i> Transferred to Claim Acquisition 3/4/3		
<i>Remarks:</i> (n/a)		



<b>Claim No: 7</b>	<i>Creditor Name:</i> A. I. Credit Corp. 160 Water Street, 19th Floor New York, NY 10038-4922	<i>Last Date to File Claims:</i> <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 09/17/2002	<i>Amends Claim No:</i> <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$6966.99	
<b>Total</b>	<b>\$6966.99</b>	
<i>Description:</i> Transferred to Claim Acquisition 3/4/3		
<i>Remarks:</i> (n/a)		

<b>Claim No: 8</b> <b>Exhibit</b> <b>Exhibit</b>	<i>Creditor Name:</i> James Helwig & Son, Inc. 2670 Goliad Rockwall, TX 75087	<i>Last Date to File Claims:</i> <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 06/09/2003	<i>Amends Claim No:</i> <i>Amended By Claim No:</i> 11	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Secured	\$785913.87	
<b>Total</b>	<b>\$785913.87</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 9</b>	<i>Creditor Name:</i> Shikar Transport, Inc. 2670 Goliad Rockwall, TX 75087	<i>Last Date to File Claims:</i> <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 06/09/2003	<i>Amends Claim No:</i> 3 <i>Amended By Claim No:</i> 10	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Secured	\$1717275.06	
<b>Total</b>	<b>\$1717275.06</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 10</b>	<i>Creditor Name:</i> Shikar Transport, Inc. 2670 Goliad Rockwall, TX 75087	<i>Last Date to File Claims:</i> <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N

<i>Claim Date:</i> 02/24/2005	<i>Amends Claim No:</i> 9 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$1717275.06	
<b>Total</b>	<b>\$1717275.06</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 11</b>	<i>Creditor Name:</i> James Helwig & Son, Inc. 2670 Goliad Rockwall, TX 75087	<i>Last Date to File Claims:</i> <i>Last Date to File (Govt):</i> <i>Filing Status:</i> <i>Docket Status:</i> <i>Late:</i> N
<i>Claim Date:</i> 02/24/2005	<i>Amends Claim No:</i> 8 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$785913.87	
<b>Total</b>	<b>\$785913.87</b>	
<i>Description:</i>		
<i>Remarks:</i>		

### Claims Register Summary

**Case Name:** Mitchell Ward Transport, Inc.

**Case Number:** 2001-44661

**Chapter:** 7

**Date Filed:** 11/09/2001

**Total Number Of Claims:** 11

	<b>Total Amount Claimed</b>	<b>Total Amount Allowed</b>
<b>Unsecured</b>	\$3306872.18	
<b>Secured</b>	\$0.00	
<b>Priority</b>	\$0.00	
<b>Unknown</b>	\$0.00	
<b>Administrative</b>	\$0.00	
<b>Total</b>	<b>\$3306872.18</b>	

<b>PACER Service Center</b>		
<b>Transaction Receipt</b>		
03/05/2005 12:14:36		
<b>PACER</b>	li0081	<b>Client</b>

<b>Login:</b>		<b>Code:</b>	
<b>Description:</b>	Claims Register	<b>Search Criteria:</b>	01-44661 Filed or Entered From: 1/1/2001 Filed or Entered To: 3/7/2005
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.08

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: )  
MITCHELL WARD TRANSPORT, INC., )  
 ) CASE NO. 01-44661 -BTR  
 ) (CHAPTER 7)  
DEBTOR. )

**TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS**

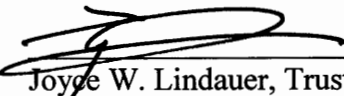
The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distribution.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution upon certification by the U.S. Trustee unless written objection thereto is filed and served on the trustee and on the U.S. Trustee.

(a)	Balance on Hand	\$314,089.77
(b)	Administrative Expenses to be paid	20,759.07
(c)	Priority Claims to be paid	0.00
(d)	Secured Claims to be paid	0.00
(e)	Unsecured Claims to be paid	293,330.70
(f)	Miscellaneous distributions to be paid	0.00
(g)	Total Distributions to be made	<u>\$314,089.77</u>
(h)	Zero Balance	<u>\$ 0.00</u>

Dated: 3/14/15

  
\_\_\_\_\_  
Joyce W. Lindauer, Trustee  
8140 Walnut Hill Lane, Suite 301  
Dallas, Texas 75231  
(972) 503-4033

**Claims Proposed Distribution**  
Trustee: Joyce W. Lindauer

Case: 01-44661

Case Balance: \$314,089.77

Total Proposed Payment: \$314,089.77

Remaining Balance: \$314,089.77

Claim No.	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
	Joyce W. Lindauer Exp - Trustee (Ch 7)	Admin Ch 7	\$ 879.10	\$ 879.10	\$ 0.00	\$ 879.10	\$ 879.10	\$ 313,210.67
	Clerk, U.S. Bankruptcy Court	Admin Ch 7	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 313,210.67
	Premium on Bond	Admin Ch 7	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 313,210.67
	Joyce W. Lindauer Fees - Trustee (Ch 7)	Admin Ch 7	\$ 19,879.97	\$ 19,879.97	\$ 0.00	\$ 19,879.97	\$ 19,879.97	\$ 293,330.70
	Fees - Trustee's Auctioneer (Ch 7)	Admin Ch 7	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 293,330.70
1	CNA	Unsecured	\$ 6,154.24	\$ 6,154.24	\$ 801.70	\$ 0.00	\$ 0.00	\$ 293,330.70
2	James Helwig	Unsecured	\$ 787,966.59	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 293,330.70
3	Shikar Transport	Secured	\$ 4,695,257.70	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 293,330.70
4	Mitchell Ward	Unsecured	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 293,330.70
5	William Scotsman	Unsecured	\$ 1,139.45	\$ 1,139.45	\$ 609.16	\$ 0.00	\$ 0.00	\$ 293,330.70
6	William Scotsman	Unsecured	\$ 1,455.98	\$ 1,455.98	\$ 398.78	\$ 0.00	\$ 0.00	\$ 293,330.70
7	AI Credit Corp	Unsecured	\$ 6,966.99	\$ 6,966.99	\$ 699.96	\$ 0.00	\$ 0.00	\$ 293,330.70
8	James Helwig	Secured	\$ 785,913.87	\$ 785,913.87	\$ 0.00	\$ 0.00	\$ 0.00	\$ 293,330.70
9	Shikar Transport	Secured	\$ 1,717,275.06	\$ 1,717,275.06	\$ 0.00	\$ 0.00	\$ 0.00	\$ 293,330.70
10	Shikar Transport	Unsecured	\$ 1,717,275.06	\$ 1,717,275.06	\$ 0.00	\$ 1,717,275.06	\$ 201,235.09	\$ 92,095.61
11	James Helwig	Unsecured	\$ 785,913.87	\$ 785,913.87	\$ 0.00	\$ 785,913.87	\$ 92,095.61	\$ 0.00
Total for Case No. 01-44661			\$ 8,808,802.82	\$ 5,042,853.59	\$ 18,509.60	\$ 2,523,948.00	\$ 314,089.77	\$ 0.00

Percentage Unsecureds .3183414 and .6860349

CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Balance
Total Administrative Claims:	20,759.07	20,759.07	0.00	20,759.07
Total Priority Claims:	0.00	0.00	0.00	00.00
Total Secured Claims:	2,503,188.80	0.00	0.00	0.00
Total Unsecured Claims:	2,518,905.60	2,518,905.60	18,509.60	2,503,188.93